

REMARKS

Claims 6, 8, 10, 12, 14, 16, 18, 20, 22 and 23 are now in the application after amendment herein. An objection raised to duplicity of subject matter in claims 16 and 17 is moot in view of claim 17 having been canceled. All of the claims were rejected under Section 102 or under Section 103 based on Dierks (U.S. 6,948,061) alone or in combination with Watanabe (U.S. Pub. No. 2002/0108041). Reconsideration is requested in view of the above amendment to independent claims 6 and 18 and the argument which now follows.

The Applicants have amended claims 6 and 18 to more fully distinguish over the Dierks reference by incorporating subject matter of canceled claims 7 and 19 into these independent claims. In this regard, applicants respectfully traverse the original rejection of canceled claims 7 and 19 under Section 102. As stated at page 3 of the outstanding office action, the Dierks reference was applied to claims 7 and 19 because the Abstract for this reference was construed as disclosing that only those signatures generated at a time prior to the certification of the public validation key are recognized as valid. In fact, this is not what the reference discloses.

In support of the rejection, the office action quotes lines 1-5 of the abstract, but this passage only states that making use of the private key is conditional upon a determination that the certificate for the corresponding public key is valid at that particular instant of time. This is not the same as requiring that only those signatures generated at a time prior to the certification of the public validation key are recognized as valid. For example, the certification of the public validation key is not necessarily the same as a continued recognition (e.g., after certification) that the public key is still considered valid. This is an example of exactly what the claimed invention does not permit and this feature distinguishes over the prior art.

To further illustrate that the prior art does not disclose or suggest the subject matter of claims 6 and 18, reference is made to the Dierks reference at col. 3, lines 51-56 which supports applicants' interpretation that the disclosure of Dierks is limited. The passage states that the validation engine has the ability to allow the completion of a requested private key operation by

determining “whether a certificate is treated as valid at that moment or instant in time ...” Thus the reference does not obtain a certificate for each request, but only determines whether the certificate is still considered valid. In contrast to such, the claimed invention never permits a certificate to be treated as valid unless

“the signatures generated at a time prior to the certification of the public validation key are recognized as valid.”

While the Dierks reference may recognize a certificate as valid when a signature is generated prior to the certification, the Dierks reference does not teach or suggest applicants’ invention “wherein only those signatures generated at a time prior to the certification of the public validation key are recognized as valid.” The above distinction is also consistent with the passage of Dierks at col. 3, line 67 – col. 4, line 4.

To further demonstrate the above-noted distinction, reference is made to col. 5, lines 43 – 57 which state in part that “further use of a certified private key [is prevented] when a certificate 22 is revoked.” The Dierks reference cannot teach the claimed invention because the claimed invention is inconsistent with later using the certification unless the certificate is revoked. From the Dierks disclosure it appears that the Dierks reference teaches the use of a certification after a signature is generated unless the validation has been revoked.

For all of these reasons it is urged that the rejection of claims 6 and 18 under Section 102 has been overcome by the amendments thereto. It is further submitted that the rejections under Section 103 are rendered moot because nothing in the prior art compensates for the above-noted deficiencies in the Dierks reference and each of the dependent claims further distinguishes over the prior art.

Conclusion

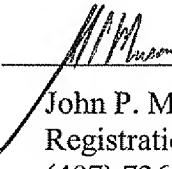
Based on the above amendments and the argument presented it is submitted that the

Serial No. 10/528,312
Atty. Doc. No. 2002P15289WOUS

claims are patentable over the prior art and the application is now in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 12/20/07

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